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10/502,020

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KJELL LINDSKOG

Appeal 2010-001877
Application 10/502,020
Technology Center 2600

Before JOSEPH F. RUGGIERO, MARC S. HOFF, and
BRADLEY W. BAUMEISTER, *Administrative Patent Judges*.

BAUMEISTER, *Administrative Patent Judge*.

DECISION ON APPEAL

SUMMARY

Appellant appeals under 35 U.S.C. § 134(a) from the Examiner's rejections of claims 1-20.

Claims 1-5 and 8-20 are rejected under 35 U.S.C. § 103(a) as obvious over Kniffin (US 5,705,991; issued Jan. 6, 1998) in view of Mellen (US 6,384,709 B2; issued May 7, 2002) and Levy (US 4,884,507; issued Dec. 5, 1989).

Claims 6-7 are rejected under 35 U.S.C. § 103(a) as obvious over Kniffin in view of Mellen, Levy, and Giessl (US 6,538,557 B1; issued Mar. 25, 2003).

We affirm.

STATEMENT OF THE CASE

Independent claim 1 is representative of the claimed subject matter:¹

1. A method pertaining to the transportation of an alarmed container, particularly with respect to the transportation of valuable objects or valuable documents, wherein the container (1) includes a first electronic unit (2) which can function to accept and permit deactivation and/or opening of the container, and wherein a primary key (10) by means of which the container can be opened includes a second electronic unit (12) for communication with the first electronic unit (2) so as to initiate opening of the container, said container including means for destroying the valuable objects or documents

¹ Appellant argues claims 1-20 together as a group. *See* App. Br. 4-5. Accordingly, we select independent claim 1 as representative.

contained therein unless said container is deactivated by a complete code-set (ABCD) when opening the container, characterized in that a person transporting the container (1) carries the primary key (10), the steps of said method comprising opening and/or deactivation of the container (1) at an intended destination with the aid of a code subset (AB) from said person-carried primary key (10) in simultaneous co-action with a code subset (CD) from a secondary key (20) located at said intended destination, and providing said complete code-set (ABCD) from said simultaneous co-action between said primary and secondary keys for initialising opening/deactivation of said container without destroying the valuable objects or documents within said container.

CONTENTIONS AND ANALYSIS

Appellant argues that claims 1-20 are allowable for three main reasons. First, Appellant argues that Kniffin's teaching of the detection of two or more users *within a 60 second time period* does not teach or suggest the limitation of "simultaneous co-action" of a primary key and a secondary key as required by claim 1 (App. Br. 6-7; Reply Br. 2-4). Second, Appellant argues that Kniffin's teaching of opening a container upon the detection of *two users* does not teach or suggest the limitation of opening a container with the co-action of *first and second code subsets* as required by claim 1 (App. Br. 7-8; Reply Br. 2-4). Third, Appellant argues that the combination of Kniffin, Mellen, and Levy is improper because: (a) no suggestion or motivation to combine the references existed (App. Br. 8-10), (b) improper

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hindsight was used to combine the references (App. Br. 9), and (c) Kniffin teaches against the steps of claim 1 (App. Br. 7; Reply Br. 5).

We disagree with the Appellant's contentions. We adopt as our own (1) the findings and reasons set forth by the Examiner in the action from which the appeal is taken, and (2) the reasons set forth by the Examiner in the Examiner's Answer in response to the Appellant's Appeal Brief. We concur with the conclusions reached by the Examiner.

DECISION

The Examiner's decision rejecting claims 1-20 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1). *See* 37 C.F.R. § 1.136(a)(1)(iv)(2010).

AFFIRMED

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